

ORDINANCE 37

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, RELATING TO BUILDINGS AND CONSTRUCTION; ESTABLISHING PROVISIONS FOR A BUILDING CODE, A MECHANICAL CODE, A PLUMBING CODE, AN ELECTRICAL CODE, A SIGN CONSTRUCTION CODE, A DANGEROUS BUILDING CODE AND A FIRE CODE.

WHEREAS, the procedures and requirements for buildings and construction in the City of University Place are currently governed by Pierce County; and

WHEREAS, the City of University Place will incorporate on August 31, 1995; and

WHEREAS, the legislature of the State of Washington directs cities to enforce the State Building Codes, in accordance with CHAPTERS 19.27 AND 70.92 R.C.W.; and

WHEREAS, the City Council finds that it is in the best interest of the public health, safety, and general welfare to establish comprehensive, uniform, and current procedures and requirements for buildings and construction within the City of University Place, NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Short Title. This title is known as and may be referred to as the "Buildings and Construction Code".

Section 2. Purpose. The purpose of the codes and regulations adopted in this Title is to regulate buildings and construction within the City and to produce the public health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected by the terms of these codes and regulations.

Section 3. Adoption of Codes. Adoption by Reference. The following codes, included in the State Building Code by R.C.W. 19.27.031 and R.C.W. 19.27A.010 and as amended and adopted by the State Building Code Council pursuant to R.C.W. 19.27.074 and R.C.W. 19.27A.020 are hereby adopted by this reference as if fully set forth in this chapter and as specifically modified or amended as set forth in this ordinance.

- A. The Uniform Building Code (UBC) and the Uniform Building Code Standards, 1994 edition, published by the International Conference of Building Officials, as adopted and amended by the Washington State Building Code Council and included in chapter 51-30 W.A.C., and as may be subsequently be amended by this ordinance, are hereby adopted along with Appendix Chapters 3, 4 (Division I), 9, 11, 15, 16, 33, and 34.
- B. The Uniform Mechanical Code, 1994 edition, including Chapter 13, Fuel Gas Piping, Appendix B, published by the International Conference of Building Officials.
- C. The Uniform Fire Code and the Uniform Fire Code Standards, 1994 edition, published by the Uniform Fire Code Institute, as adopted and amended by the Washington State Building Code Council and included in chapter 51-34 and 51-36 W.A.C. and as may be subsequently amended by this ordinance, are hereby adopted, along with Appendix Chapters I-A, I-B, I-C, II-A, II-C, II-E, II-F, III-A, III-B, III-C, III-D, IV-B, V-A, VI-A, VI-E, and VI-F; provided, that, notwithstanding any wording in this Code, participants in religious ceremonies shall not be precluded from carrying hand-held candles.
- D. The Uniform Plumbing Code and the Uniform Plumbing Code Standards, 1994 edition, as published by the International Association of Plumbing and Mechanical Officials, and as adopted by the Washington State Building Code Council and included in Chapters 51-26 and 51-27 W.A.C. and as be subsequently amended by this ordinance, are hereby adopted with the exception of Chapters 11 and 12.
- E. The Rules and Regulations adopted by the Washington State Building Code Council for making building and facilities accessible to and usable by physically handicapped or elderly persons as provided in Chapter 51-30 W.A.C. effective April 1, 1994.
- F. The Washington State Energy Code as adopted and amended by the Washington State Building Code Council and included in Chapter 51-11 W.A.C. effective 6-30-95.
- G. The Washington State Ventilation and Indoor Air Quality Code as adopted and amended by the Washington State Building Code Council and included in Chapter 51-13 R.C.W., effective June 30, 1995.

- H. Washington State Historic Building Code as adopted and amended by the Washington State Building Code Council and included in Chapter 51-19 R.C.W., First edition.
- I. Uniform Code for the Abatement of Dangerous Buildings, 1994 edition, as published by the International Conference of Building Officials, and as may be subsequently amended by this ordinance.
- J. National Electrical Code as published by the National Fire Protection Association, adopted and enforced by the State of Washington Department of Labor and Industries with the current edition in force at the time of this ordinance adoption.

Section 4. Conflicts between codes. In case of conflict among the Building Code, the Mechanical Code, the Fire Code, and the Plumbing Code, the first named code shall govern over those following. In case of conflicts between other codes and provision adopted by this ordinance, the code or provision that is most restrictive, as determined by the Building Official, shall apply.

Section 5. Fire Chief and Fire Marshal designated. Inspections and code enforcement of the Fire Code shall be conducted by the Fire District in accordance with a City contract. Conflicts of code interpretation shall be determined by the Building Official.

Section 6. Fees. Any fee schedule in the codes listed in Section 3 of this ordinance shall be void. All fee schedules shall be listed in a separate City of University Place Fee Ordinance.

Section 7. Hours of Construction. Except as otherwise provided in this ordinance, the activities regulated by this ordinance shall be limited to the following hours:

- (1) Monday through Saturday: 7 a.m. to 7 p.m.
- (2) Sunday and legal holidays: 8 a.m. to 5 p.m.

Section 8. Uniform Codes - - Copies on File. The City Clerk is to maintain one copy on file of each of the codes adopted by this ordinance. These copies may be kept in the care of the Building Official.

Section 9. Interpretation. Whenever the underlined words appear in the codes adopted by reference in this ordinance they are to be interpreted as follows:

- 1. Administrative Authority as the Building Official;

2. Chief, Fire Chief, or the Chief of the Bureau of Fire Prevention as the Fire Chief of Pierce County Fire District 3;
3. Municipal and the Jurisdiction as the City of University Place;
4. Corporation Council as the attorney for the City of University Place.

Section 10. Violations and Penalties.

- A. Civil violation. Except as otherwise provided in this ordinance, any violation of any of the provisions of this ordinance shall constitute a civil infraction for which a monetary penalty, as set forth in Ordinance _____ may be imposed.
- B. Criminal penalty. Except as otherwise provided in this ordinance, in addition to or an alternative to any other penalty provided in this ordinance or by law, every person, partnership, firm, association, or corporation convicted of a violation of any provision of this ordinance shall be guilty of a misdemeanor and upon conviction thereof, punished as set forth in Ordinance _____.
- C. Additional Remedies. In addition to any other remedies provided by this ordinance, the City may initiate injunction or abatement proceedings or any other appropriate action in the courts against any person, partnership, firm, association, or corporation who violates or fails to comply with any provision of this ordinance, or any code adopted herein, to prevent, enjoin, abate, or terminate such violation or to restore a condition which existed prior to the violation. In all injunction, abatement and nuisance proceedings, the violator shall be required, in addition to any other relief, to pay the costs of such action, including reasonable attorney fees.

Section 11. Building Code Amendments. The following sections in the adopted Uniform Building Code are hereby amended:

- A. Sewerage Disposal Approval. Section 106.4.1.1 is added to the Uniform Building Code and reads as follows:

" No building permit for the construction or alteration of any building requiring sewerage disposal facilities of any kind shall be issued until a Sewer Availability Certificate is issued by the City sewer purveyor. If a public Sewer Availability Certificate is not available the property must be approved for septic tank(s) by the Pierce County Health Department, in writing, for the occupancy proposed.

- B. Expiration of Permit. The first sentence of the first paragraph of Section 106.4.4 of the Uniform Building Code is hereby amended to read as follows:

"Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 360 calendar days from the date of such permit, or if the building or work authorized is suspended or abandoned at any time after the work is commenced for a period of 180 calendar days."

- C. Expiration of Plan Review. Section 107.4 of the Uniform Building Code is hereby amended:

"107.4 (1) Expiration of Plan Review. Applications for which no permit is issued within 180 calendar days following the date of application shall expire by limitation, and plans and other data submitted for review may be thereafter returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 calendar days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant resubmit plans and pay a new plan review fee.

The building official shall extend the life of an application if any of the following conditions exist:

- a. Compliance with a declaration of significance under the State Environmental Act provisions is in progress; or
- b. Any other City review is in progress, provided City Staff determines that the review is proceeding to a timely final City decision; or
- c. Litigation against the City is in progress, the outcome of which may affect the validity of any permit issued pursuant to such application.

(2) Permit deemed ready to issue. Every permit deemed ready to issue by the building official under the provisions of this code shall be obtained by the applicant within 60 calendar days of the notification of the availability of such permit by the building official or her/his designee or the permit shall be canceled. Upon cancellation of any such permit, the

permit becomes null and void, and the building official shall notify the applicant by certified mail."

- D. Approval Required. Section 108.4 of the Uniform Building Code is hereby amended by the addition of a new paragraph to read:

" All buildings that have not received a final inspection and approval shall not be occupied without written approval of the building official."

- E. Certificate of Occupancy. Paragraph one of Section 109.1 on Use and Occupancy of the Uniform Building Code is hereby amended :

"No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein.

EXCEPTION: Group U occupancies. "

- F. Group R, Division 1 Occupancies. Special Provisions. Section 310.2.2 of the Uniform Building Code is hereby amended :

"310.2.2 Special Provisions. Notwithstanding other provisions of this code, Group R Division 1 occupancies shall not be less than one hour fire resistive construction throughout. Exterior balconies extending beyond the floor area as defined by Section 207 - F shall be constructed of non combustible materials or as combustible one-hour fire resistive occupancy separation between units.

Storage or laundry rooms that are within Group R, Division 1 Occupancies that are used in common by tenants shall be separated from the rest of the building by not less than one-hour fire-resistive occupancy separation.

Group R, Division 1 Occupancies with a Group S, Division 3 parking garage in the basement or first story, see Section 311.2.2.

For attic space partitions and draft stops, see Section 708.

Exterior and interior doors and windows opening into a corridor, stairway, or similar area serving 5 or more dwelling units shall be protected as specified in Section 1005.8 "

- G. Fire Alarm Systems. Section 310.10 of the Uniform Building Code is hereby amended to read as follows:

"310.10 Fire Alarm Systems. Group R, Division 1 Occupancies shall be provided with an approved manual and automatic fire alarm systems in apartment houses that are three stories or more in height or two or more stories in height with a basement or containing five or more dwelling units, and every hotel (motel) three or more stories in height or containing 12 or more guest rooms and in congregate residences three or more stories in height or having an occupant load of 20 or more. A fire alarm and communication system shall be provided in Group R, Division 1 Occupancies located in a high-rise building.

For the purpose of this section, area separation walls shall not define separate buildings.

Exceptions: 1. A fire alarm system need not be installed in buildings not over two stories in height when all individual dwelling units and contiguous attic and crawl spaces are separated from each other and from the public or common areas by at least one-hour fire-resistive occupancy separations and each individual dwelling unit or guest room has an exit direct to a public way, exit court or yard, exterior stairway or exterior exit balcony.

2. A separate fire alarm system need not be installed in buildings which are protected throughout by an approved supervised sprinkler system installed in accordance with U.B.C. Standard No. 38-1 and having a local alarm to notify all occupants."

- H. Section 403 - Special provisions for Group B and Group R, 1 Occupancies. The title of Section 403 of the Uniform Building Code is hereby amended:

"SECTION 403 - SPECIAL PROVISIONS FOR ALL BUILDING SEVEN OR MORE STORIES IN HEIGHT."

- I. Section 403.1 Scope. Section 403.1 of the Uniform Building Code is hereby amended:

"This section shall apply to all buildings seven or more stories in height. Such building shall be of Type I or II-F.R. construction and shall be provided with an automatic sprinkler system in accordance with Section 403.2"

- J. Premises Identification. Section 502 of the Uniform Building Code is hereby amended :

" Approved number or addresses shall be provided of a size not less than three inches (3 ") in height and shall be placed on all new and existing buildings and on construction sites is such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background."

- K. Fire Extinguishing Systems Required. Section 904.2.2 , item 5 of the Uniform Building Code is hereby amended:

"5. All buildings four or more stories in height. For the purposes of this section, a story shall be defined as that portion of a building between the upper surface of any floor and the surface of the next floor or roof above."

- L. Plans Approval - Fire Extinguishing Systems. Section 904 of the Uniform Building Code is hereby amended by the addition of Section 904.2.3.8 and to read as follows:

" Section 904.2.3.8 Approval of Fire Sprinkler System Plans. If required by the Fire Marshal, sprinkler system plans shall be approved and stamped by an independent review agency approved by the building official prior to being submitted for approval."

- M. Area Separation Walls - Fire Extinguishing Systems. Section 904 of the Uniform Building Code is hereby amended by the addition of Section 904.2.3.9 and to read as follows:

" Section 904.2.3.9 Area Separation Walls.. Area separation walls as specified in Section 504.6 of the Uniform Building Code shall not be used to reduce the calculation of floor areas in this Chapter."

- N. Standpipes - Where Required. Section 904.5.2 of the Uniform Building Code is here by amended:

"Section 904.5.2 Where Required. Standpipe systems shall be provided as set forth in Table 9-A. In lieu of Class II standpipes, the Fire Chief may, in writing, require the use of Class I standpipes. The size and number of outlets and inlets and location of piping shall be approved by the Fire Chief or her/his designee."

Section 12. Fire Code Amendments. The following sections in the Uniform Fire Code are hereby amended:

- A. Standpipes Required. Section 1004.2 of the Uniform Fire Code is hereby amended to read as follows:

" 1004.2 Required installations. Standpipe systems shall be provided as set forth in Table 1004-A. In lieu of Class II standpipes, the Fire Chief or his designee may, in writing, require the use of Class I standpipes. The size, number of outlets, and location of piping and fittings shall be approved by the Fire Chief or her/his designee."

- B. Number and Location of Fire Hydrants. Section 3 of Appendix III-B of the Uniform Fire Code is hereby amended by adding the following paragraph:

Existing hydrants on public streets may be considered available. Existing hydrants on adjacent properties shall not be considered available unless fire apparatus access roadways extend between properties and an easement is established to prevent their obstruction."

Section 13. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 14. Liability. The express intent of the City of University Place is that the responsibility for compliance with the provisions of this ordinance shall rest with the permit applicant and their agents. This ordinance and its provisions are adopted with the express intent to protect the health, safety, and welfare of the general public and are not intended to protect any particular class of individuals or organizations.

Section 15. Effective date. This ordinance shall be effective on the official date of incorporation.

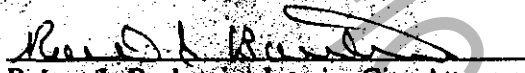
PASSED BY THE CITY COUNCIL ON JULY 24, 1995.


Stanley L. K. Flemming, Mayor

ATTEST:


Susan Matthew, Interim City Clerk

APPROVED AS TO FORM:


Robert J. Backstein, Interim City Attorney

PUBLISHED: July 26, 1995

EFFECTIVE DATE: August 31, 1995